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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,142	05/14/2001	Adrian David Lincoln	211202	1124
23460	7590	09/08/2005	EXAMINER	
LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6780				CHOWDHURY, AZIZUL Q
ART UNIT		PAPER NUMBER		
2145				

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/855,142	LINCOLN ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Azizul Choudhury	2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 June 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2 and 6-9 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 May 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/30/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

***Detailed Action***

This office action is in response to the correspondence received on June 21, 2005.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hart (US Pat No: US005862344A).

1. With regards to claim 1, Hart teaches a data packet for holding an information request and corresponding response data together, the data packet comprising: a plurality of layers, the layers including a routing layer and a client request layer respectively containing routing information and the information request, the data packet being transmittable over a distributed network including a plurality of processing nodes, wherein the data packet is interpreted by a first of said processing nodes to determine whether the first of said processing nodes is able to process the information request and generate at least part of the response data, and is expanded to include a further layer containing routing information relating to a next stage in processing of the data packet to be performed at a second of said processing nodes whilst leaving said plurality of the layers intact

and undisturbed, the first of said processing nodes determining the routing information contained in the further layer in dependence upon only the data packet content (Hart discloses a design for routing data packets (column 3, lines 21-29, Hart). In addition, Hart's design allows for data packets to have additional data added to it (column 7, lines 11-24, Hart). This is equivalent to the claimed expanded to include a further layer. This additional information is read by other devices such as routers and "processed" by sending the data to its proper course of destination and stripping off the now excess information and readdressing the packet. This is equivalent to the claimed node processing request and generating a response and determining routing information contained in further layer).

2. With regards to claim 2, Hart teaches a packet, wherein the layers further include at least one layer selected from a group containing client device information, user identification information, and application identification information (Hart's design allows for data packet to have addition data added to it (column 7, lines 11-24, Hart). A regular data packet inherently possesses the claimed client device information and user identification information).
3. With regards to claim 6, Hart teaches a method of responding to an information request from a client device, the method including the steps of wrapping the information request in at least one layer to produce a request packet, transmitting

the request packet over a distributed network comprising first and second processing nodes, and generating a response packet for transmission back to the client device via the distributed network for responding to the information request, wherein the first processing node performs analysis of the information request stored on the request packet to determine whether the first processing node is able to process the information request and generate at least part of the response data packet; and wherein the first processing node adds a routing layer to the request packet containing routing information relating to a next stage in processing of the request packet to be performed by the second processing node, the first processing node determining the routing information contained in the routing layer in dependence upon only the data packet content, and the second processing node processing the request packet whilst leaving the at least one layer of the request packet intact and undisturbed, and wherein the step of generating the response packet generates the response packet to include said information request (Hart discloses a design for routing data packets (column 3, lines 21-29, Hart). In addition, Hart's design allows for data packets to have additional data added to it (column 7, lines 11-24, Hart). This additional information is read by other devices such as routers and "processed" by sending the data to its proper course of destination and stripping off the now excess information and readdressing the packet. This is equivalent to the claimed node processing request and generating a response and determining routing information contained in further layer. Furthermore, the claimed means of

processing the request within the packet and sending response data in packet form is also inherent in data networks such as Hart's. Hart specifically states that the network consists of nodes that are able to be processing systems (column 3, lines 21-29, Hart)).

4. With regards to claim 7, Hart teaches a distributed network including: a data packet for holding an information request and corresponding response data together, said data packet comprising a plurality of layers, the layers including a routing layer and a client request layer respectively containing routing information and the information request, a plurality of processing nodes each configured to interpret at least a respective one of the layers of said data packet and to add and/or remove layers before passing the data packet to another one of the nodes, the data packet being adapted to be transmitted over the distributed network, the data packet being interpreted by a first of said processing nodes of said network to determine whether the first of said processing nodes is able to process the information request and generate at least part of the response data, and wherein the data packet is expanded to include a further layer containing routing information relating to a next stage in the processing of the data packet to be performed at a second of the processing nodes of said network whilst leaving the plurality of layers of the data packet intact and undisturbed, the first of said processing nodes determining the routing information contained in the further layer in dependence upon only the data packet content (Hart discloses a design

for routing data packets (column 3, lines 21-29, Hart). In addition, Hart's design allows for data packets to have additional data added to it (column 7, lines 11-24, Hart). This additional information is read by other devices such as routers and "processed" by sending the data to its proper course of destination and stripping off the now excess information and readdressing the packet. This is equivalent to the claimed node processing request and generating a response and determining routing information contained in further layer. Plus, the disclosure teaches how stripping of the added data is also possible. This is equivalent to the claimed removing layers. Furthermore, the claimed means of processing the request within the packet and sending response data in packet form is also inherent in data networks such as Hart's. Hart specifically states that the network consists of nodes that are able to be processing systems (column 3, lines 21-29, Hart)).

5. With regards to claim 8, Hart teaches a network wherein the layers of the data packet further include at least one layer selected from a group containing client device information, user identification information, and application identification information (Hart's design allows for data packet to have addition data added to it (column 7, lines 11-24, Hart). A regular data packet inherently possesses the claimed client device information, user identification information and application identification information).

6. With regards to claim 9, Hart teaches a system for responding to an information request from a client device, the system including: wrapping means configured to wrap the information request in at least one layer to produce a request packet; first and second processing nodes; transmitting means configured to transmit the request packet over a distributed network comprising each of said processing nodes; and means configured to generate a response packet for transmission back to the client device via the distributed network for responding to the information request; wherein the first processing node performs analysis of the information request stored on the request packet to determine whether the first processing node is able to process the information request and generate at least part of the response packet, and includes means configured to add a further layer to the request packet containing routing information relating to a next stage in processing of the request packet to be performed at the second processing node, the first processing node determining the routing information contained in the routing layer in dependence only upon the request packet content, and the second processing node processing the request packet whilst leaving said at least one layer of the request packet intact and undisturbed, and wherein the means configured to generate the response packet generates the response packet to include said information request (Hart discloses a design for routing data packets (column 3, lines 21-29, Hart). In addition, Hart's design allows for data packets to have additional data added to it (column 7, lines 11-24, Hart). This additional information is read by other devices such as routers and

"processed" by sending the data to its proper course of destination and stripping off the now excess information and readdressing the packet. This is equivalent to the claimed node processing request and generating a response and determining routing information contained in further layer. Furthermore, the claimed means of processing the request within the packet and sending response data in packet form is also inherent in data networks such as Hart's. Hart specifically states that the network consists of nodes that are able to be processing systems (column 3, lines 21-29, Hart)).

***Response to Remarks***

The amendment received on June 21, 2005 has been carefully examined but is not deemed fully persuasive. In response to the corrections made to claim 2, the claim objection has been removed from the office action. However, the remainder of the claim rejections continues to stand with slightly revised explanations to address the issues arisen by the claim amendments. Within the remarks portion of the amendment, the applicant expresses concerns over two points of contention. The first point of contention involves the processing of nodes to process a request and generating at least part of a response. Hart discloses (column 7, lines 11-24, Hart) that packets have additional information added (enveloped) to it by routers. Then, when the "enveloped" packet is read by another router (first node) it strips off the now excess data, readdress it and passes it on (route). This is viewed as processing and generating a response. The second point of contention involves determining the routing information contained in

the further layer. Again, Hart discloses that the packet's further layer (envelope) is added, read, processed upon (stripped, readdress and route). Hence, the further layer (envelope) is used to determine process and route the data packet as claimed.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC



RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER